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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF WYOMING**

In re:)
) Case No.: 16-20326
POWELL VALLEY HEALTH CARE,) Chapter 11
INC.,)
)
Debtor.)

**EMERGENCY MOTION FOR ENTRY OF ORDERS APPROVING FINAL FEE
APPLICATIONS**

Powell Valley Health Care, Inc. (the “Debtor”) hereby files this emergency motion for entry of orders approving *Spencer Fane LLP’s fourth and Final Application for Compensation and Reimbursement of Expenses* (the “Final Committee Fee Application”) [Doc. 855] and the *Third and Final Application of Markus Williams Young & Zimmermann LLC for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. § 330 and 331 of the Bankruptcy Code for the Period March 1, 2017 – February 28, 2018* (the “Final MWYZ Fee Application”) [Doc. 859], and in support thereof would show the Court as follows:

1. On May 16, 2016 (the “Petition Date”), PVHC commenced this case by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Wyoming (the “Court”).

2. On January 24, 2018, the Court entered its *Order Confirming Modified Amended Chapter 11 Plan of Reorganization for Powell Valley Health Care, Inc.* (the “Confirmation Order”) [Doc. 826] wherein the Court confirmed PVHC’s *Modified Amended Chapter 11 Plan of Reorganization for Powell Valley Health Care, Inc.* (the “Plan”) [Doc. 807].

3. In accordance with the Plan and Confirmation Order, on March 29, 2018, the Final Committee Fee Application was filed. The deadline to object to the Final Committee Fee Application was April 23, 2018. No objections were filed.

4. In accordance with the Plan and Confirmation Order, on April 2, 2018, the Final MWYZ Fee Application was filed. The deadline to object to the Final MWYZ Fee Application was April 26, 2018. No objections were filed.

5. On May 14, 2018, PVHC was advised by the Office of the United States Trustee that quarterly United States Trustee fees increased on January 1, 2018 (pursuant to the Bankruptcy Judgeship Act of 2017, Pub. L. No. 115-72), such that the quarterly fees payable for a calendar quarter in which disbursements equal or exceed \$1 million shall be the lesser of 1% of such disbursements, or \$250,000. As a result of this fee increase (which was unexpected), PVHC’s fees for the first quarter of 2018 increased from \$13,000, to over \$100,000. Such exponential increase has caused serious budgeting concerns for PVHC, and may ultimately jeopardize PVHC’s ability to operate in accordance with the Plan and Confirmation Order if PVHC continues to accrue such fees.

6. PVHC will be required to continue to satisfy ongoing United States Trustee fees (at the increased rate) until such time as a final decree is entered closing this case.

But for pending orders on the Final Committee Fee Application and Final MWYZ Fee Application, PVHC is prepared to file a motion for entry of final decree.

7. As a result of the foregoing, PVHC is filing the current motion. Further, PVHC intends to seek emergency relief for the entry of a final decree pursuant to separate motion. Again, PVHC believes that further delay in addressing the Final Committee Fee Application and Final MWYZ Fee Application will hinder PVHC's ability to successfully emerge from bankruptcy.

8. The United States Trustee, and the Committee, have both consented to the relief requested in this motion.

WHEREFORE, for the reasons set forth herein, PVHC respectfully requests the entry of orders approving the Final Committee Fee Application and the Final MWYZ Fee Application, and for such other and further relief as the Court deems proper.

Dated: Cheyenne, Wyoming
May 21, 2018

MARKUS WILLIAMS YOUNG AND
ZIMMERMANN LLC

By: /s/ Bradley T. Hunsicker
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Counsel for the Debtor-in-Possession

CERTIFICATE OF SERVICE

The undersigned certifies that on May 21, 2018, a copy of the foregoing was served *electronically* upon **The Office of the United States Trustee** and those parties requesting notice and registered on the Court's CM/ECF system.

/s/Bradley T. Hunsicker
Bradley T. Hunsicker